# WQS Process and Challenges

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## Disclaimer – this presentation reflects the views of the speaker and not necessarily those of EPA

#### Clean Water Act Objectives

- Objective: "restore and maintain the chemical, physical and biological integrity of the Nation's waters" (Clean Water Act 101(a))
- Interim goal: "water quality which provides for the protection and propagation of fish, shellfish and wildlife and provides for recreation in and on the water" (Clean Water Act 101(a)(2))
  - "fishable/swimmable goals"
- Applause to California for looking into development of WQS to address this important issue

### CWA process

State's Triennial Review

Submission to EPA; EPA Action

[months to years]

Report to EPA on new or revised WQS needed

State Proposal and Public Comment

[3-4 months]

Pre-work

[~1 year]

### Where do WQS Apply? CWA Bounds

- "Waters of the U.S."
- Definitions above include territorial seas within 3 miles of OLW
- There are state, and tribal waters



#### Questions to ask as WQS are developed

- Sensitive uses designated?
- Numeric?
  - One size fits all?
  - Most sensitive use?
  - Implementation?
  - Magnitude, duration, and frequency important
- Narrative?
  - Interpretation?
  - Implementation?
  - Will it depend on a baseline?
- Pollutant-organismal effect clear?
  - Acclimation of organisms and relative utility of studies

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